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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of : RONALD A. SCHACHAR
U.S. Serial No. : to be assigned
Filing Date : to be assigned
Prior U.S. Serial No. : 09/061,168
Prior Filing Date : April 16, 1998
Prior Examiner : D. Willse
Title : SCLERAL PROSTHESIS FOR TREATMENT OF
PRESBYOPIA AND OTHER EYE DISORDERS

BOX PATENT APPLICATION
Commissioner of Patents
Washington, D.C. 20231

Sir:

PRELIMINARY AMENDMENT

Prior to the grant of the patent for United States Serial No. 09/061,168, the Applicant is filing a continuing prosecution application under 37 C.F.R. § 1.53(b). Additionally, the Applicant is making the below listed amendments to the continuing application as follows:

IN THE SPECIFICATION:

1. Please insert the following statement on page 1 of the specification:

“This application is a continuation of prior U.S. Application Serial No. 09/061,168 filed on April 16, 1998, which is a continuation of prior U.S. Application Serial No. 08/946,975 filed on October 8, 1997.”

IN THE CLAIMS:

Please delete claims 2-60.

Please add new claims 61-79 as follows.

61. A prosthesis adapted for contact with the sclera of an eyeball, said prosthesis comprising:

an elongated body having a first end, a second end, a first surface and a second surface, said first surface and said second surface being adapted to contact said scleral, and

means for expanding said contacted sclera to increase the effective working distance of the ciliary muscle of the eyeball.

62. The prosthesis set forth in Claim 61 wherein said expanding means is one of a ridge and a crest.

63. The prosthesis set forth in Claim 61 wherein one of said first surface and said second

surface is generally smooth and is adapted to contact ocular tissue within a pocket surgically formed within the sclera of the eyeball.

64. The prosthesis set forth in Claim 61 wherein said prosthesis is one of generally rectangular, semicircular, and elliptical.

65. The prosthesis set forth in Claim 61 wherein one of said first surface and said second surface comprises an anterior edge and a posterior edge, and said expanding means has a maximum height above said base of one of intermediate between said anterior edge and said posterior edge, less than halfway from said anterior edge to said posterior edge, and at said anterior edge.

66. The prosthesis set forth in Claim 61 comprises a planform having a first dimension and a second dimension.

67. The prosthesis set forth in Claim 66 wherein one of said first surface and said second surface is planar.

68. The prosthesis set forth in Claim 66 wherein said expanding means extends along at least a portion of said first dimension.

69. The prosthesis set forth in Claim 66 wherein one of said first dimension is about 5 millimeters and said second dimension is about 2 millimeters.

70. The prosthesis set forth in Claim 61 wherein said prosthesis is made of one of a physiologically acceptable metal, a ceramic material, a synthetic resin, a reinforced composite material, and a flexible material.

71. The prosthesis set forth in Claim 61 wherein said prosthesis is provided with an internal cavity.

72. The prosthesis set forth in Claim 71 wherein said internal cavity is filled with one of a fluid and a gel.

73. The prosthesis set forth in Claim 71 wherein said internal cavity is filled with one of water, a saline solution, an oil, silicone, collagen, and gelatin.

74. A prosthesis for surgical implant into a pocket in the sclera of an eyeball, said prosthesis comprising an elongated body having a first end, a second end, a first surface and a second surface, said first surface and said second surface being adapted to contact said scleral, said implanted prosthesis applying an outward force on said scleral pocket to elevate the portion of the sclera attached thereto to increase the effective working distance of the ciliary muscle of the eyeball.

75. The prosthesis set forth in Claim 74 wherein said base further comprises an outer surface that is generally smooth and is adapted to contact ocular tissue within the scleral pocket.

76. The prosthesis set forth in Claim 74 wherein elongated body is one of generally rectangular, semicircular, and elliptical.

77. The prosthesis set forth in Claim 74 wherein one of said first surface and said second surface comprises an anterior edge and a posterior edge, and said prosthesis has a maximum height above said base of one of intermediate between said anterior edge and said posterior edge, less than halfway from said anterior edge to said posterior edge, and at said anterior edge.

78. The prosthesis set forth in Claim 74 comprises a planform having a first dimension, a second dimension, an inner surface and an outer surface.

79. The prosthesis set forth in Claim 78 wherein one of said first surface and said second surface is planar.

REMARKS:

Claim 1 remains in the present invention.

Claims 2-60 have been deleted from the present invention.

Claims 61-79 have been added to the present application.

The Applicant believes that this Applications in condition for allowance. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting prosecution of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *wmunck@novakov.com*.

Respectfully submitted,

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